

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

CHARLES MELLONS,  
Plaintiff,

v.

THE LILLY COMPANY, INC.  
Defendant.

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NO: 2:10-CV-20

**ORDER**

This matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated January 26, 2011. In that Report and Recommendation, the Magistrate Judge recommends that the Defendant's Motion to Dismiss, [Doc. 7], be denied. The defendant has filed objections to this Report and Recommendation. After careful and *de novo* consideration of the record as a whole, and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and Recommendation which are incorporated by reference herein, it is hereby **ORDERED** that this Report and Recommendation is **ADOPTED** and **APPROVED**, [Doc. 13], and that the defendant's Motion to Dismiss, [Doc. 7], be **DENIED**.

E N T E R:

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE